



# Agricultural Holdings (Scotland) Act 1991

## 1991 CHAPTER 55

### [<sup>F1</sup>PART 3A

#### RELINQUISHING AND ASSIGNATION OF HOLDINGS

### CHAPTER 1

#### TENANT'S OFFER TO RELINQUISH HOLDING

##### *Appointment of valuer*

#### [<sup>F1</sup>32H **Objection to valuer appointed by Tenant Farming Commissioner**

- (1) This section applies where the tenant or the landlord objects to the person appointed under section 32G(2) by the Tenant Farming Commissioner on one or more of the grounds mentioned in subsection (2).
- (2) Those grounds are that the person—
  - (a) is not independent of the landlord or, as the case may be, the tenant, or
  - (b) does not possess the qualifications, knowledge and experience mentioned in section 32G(4)(b).
- (3) The tenant or, as the case may be, the landlord may apply to the Land Court to appoint a person as the valuer in place of the person appointed by the Tenant Farming Commissioner.
- (4) An application under subsection (3)—
  - (a) must—
    - (i) be made before the expiry of the period of 14 days beginning with the date of the notice under section 32G(6), and
    - (ii) state the ground of objection to the person appointed by the Tenant Farming Commissioner, and
  - (b) may propose a person to be appointed as the valuer in place of that person.

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**Changes to legislation:** *There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Section 32H. (See end of Document for details)*

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- (5) The Land Court may, on an application under subsection (3)—
- (a) reject the objection, or
  - (b) appoint a person as the valuer (whether a person proposed in the application or not).
- (6) The decision of the Land Court on an application under subsection (3) is final.]

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**Textual Amendments**

- F1** Pt. 3A inserted (23.12.2016 for specified purposes, 28.2.2021 in so far as not already in force) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), **ss. 110(2)**, 130(1) (with s. 128); S.S.I. 2016/365, reg. 2; S.S.I. 2020/428, reg. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Section 32H.